

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

Julia Brooke Davis,)
)
)
 Plaintiff,)
)
)
 v.) **JUDGMENT**
)
)
 Town of Smithfield,) No. 5:12-CV-360-BR
)
)
 Defendant.)
)

Decision by Court.

This action came before Senior United States District Judge W. Earl Britt for the consideration of the defendant's motion to dismiss.

IT IS ORDERED, ADJUDGED AND DECREED that defendant's motion to dismiss is GRANTED, and plaintiff's § 1983 claim is DISMISSED. Pursuant to 28 U.S.C. § 1367(c), the court declines to exercise jurisdiction over plaintiff's state law claims. This case is REMANDED to the Superior Court for Johnston County, North Carolina. The Clerk is DIRECTED to send a copy of this order to the Clerk of that court and close this case.

This judgment filed and entered on November 13, 2012, and served on:

James E. Hairston, Jr. (via CM/ECF Notice of Electronic Filing)
Jeremy Ryan Leonard (via CM/ECF Notice of Electronic Filing)
Robert Julius Lane, III (via CM/ECF Notice of Electronic Filing)
Kari R. Johnson (via CM/ECF Notice of Electronic Filing)

November 13, 2012

/s/ Julie A. Richards,
Clerk of Court